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In re Application of
BOURDON, Mario A., et al.
Application No.: 09/701,162
PCT No.: PCT/US98/25791
Int. Filing Date: 04 December 1998
Priority Date: 05 December 1997
Attorney Docket No.: LJIEM110-1
For: INHIBITION OF TUMOR GROWTH
BY MACROPHAGE INTERVENTION

NOTIFICATION
OF
DEFECTIVE REPLY

This Notification is in response to applicants' "Third Renewed Petition Under 37 CFR §1.47(a)" filed in the United States Patent and Trademark Office (USPTO) on 21 June 2002.

The Notification of Defective Reply mailed 12 July 2002 is VACATED. It indicated that applicants had submitted only a single page 2. By the time the Notification had been mailed, but before the submission was matched with the file, applicants submitted the instant response. As such, applicants had submitted more than a single page 2.

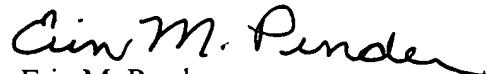
The submission of 21 June 2002 does not satisfy the requirements of 37 CFR 1.497(a)-(b). The declaration though comprised of 4 pages appears to be a composite declaration. The inventors originally executed on two separate copies of a declaration that was originally faxed. The replacement page two is not similarly faxed. Additionally, the facsimile heading on the originally executed sheets of the declaration were removed with the current submission. The declaration may not be altered in any form, however minor, subsequent to its execution by the inventors. Applicants are required to submit an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and to state that the declaration submitted is the declaration as executed by the inventors.

Applicants are required to submit an oath or declaration in compliance with 37 CFR 1.497(a)-(b) within a time limit of **ONE (1) MONTH** from the mail date of this Notification or within the time remaining in the response set forth in the Decision on Petition Under 37 CFR 1.47(a) mailed on 26 April 2002, whichever is longer. No extension of this time limit may be granted under 37 CFR 1.136(a), but the period for response set in the Decision on Petition may be extended up to a maximum of five months. **FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT**. Any request for reconsideration of this decision should include a cover letter entitled "Response to Notification of Defective Response."

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of this letter marked to the attention of the Office of PCT Legal Administration.



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